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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,853	08/21/2003	Randall A. Addington	1081003	1852
24253	7590	02/17/2009		
JOEL I ROSENBLATT 445 11TH AVENUE INDIALANTIC, FL 32903			EXAMINER PIERCE, WILLIAM M	
			ART UNIT 3711	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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10604853	8/21/2003	ADDINGTON ET AL.	1081003

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William M. Pierce

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DATE MAILED:

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Commissioner for Patents

The reply brief filed on 1/26/09 has not been considered because it is not in compliance with 37 CFR 41.41(a). The reply brief has not been filed within two months from the date of the examiner's answer. This submission is considered more than a correction to the previously filed reply brief of 9/24/07. Where that reply brief was, at the direction of the Board conveyed in the Remand of 9/30/08, not considered since it included a new reference to Shaffer, the instant reply brief does more than remove any remarks and arguments pertaining to Shaffer. Instead it presents new and additional arguments, inter alia, pertaining to the propriety of refusing to enter the previous reply brief due to Shaffer. Here, no supplemental examiner's answer responding to applicant's previous reply brief has been furnished that would entitle applicant to a second reply brief as set forth in 37 CFR 41.43(b).

/William M Pierce/
Primary Examiner, Art Unit 3711